



**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1995 SENATE BILL 356**

October 3, 1995 - Offered by COMMITTEE ON TRANSPORTATION, AGRICULTURE AND  
LOCAL AFFAIRS.

1     **AN ACT to repeal** 29.092 (9) (hg), 29.092 (9) (hr), 29.093 (9) (gm), 29.093 (9) (gr),  
2             29.58, 29.581, 95.25 (5m) and 97.42 (1) (cm); **to renumber** 95.001 (1) (a); **to**  
3             **renumber and amend** 93.07 (10); **to amend** 20.115 (2) (ha), 29.02 (3m), 29.03  
4             (8), 29.05 (5), 29.05 (6), 29.05 (6m), 29.05 (8) (b), 29.06 (1), 29.06 (2), 29.06 (3),  
5             29.40 (6), 29.42 (4), 29.425 (4m), 29.427 (6), 29.43 (5) (b), 29.44 (3), 29.45 (6),  
6             29.48 (1m), 29.49 (1) (a) (intro.), 29.574 (1m), 29.578 (1m), 29.583 (1), 29.585 (2)  
7             (a), 29.59 (1) (f), 29.598 (1), 29.645, 29.99 (15), 95.25 (1) and (2), 95.30, 95.31 (3),  
8             95.33, 95.40 (title) and (1), 95.41 (2), 95.42, 95.68 (1) (d), 95.80 (1) (b), 97.42 (1)  
9             (a), 97.42 (3) (em), 97.42 (4) (em), 97.42 (5) (b), 97.44 (3), 174.001 (3), 895.57 (3)  
10            and 943.75 (3); and **to create** 29.01 (2r), 29.49 (3), 29.55 (2m), 29.583 (3), 29.586  
11            (4), 90.20, 93.07 (10) (a), 95.001 (1) (a), 95.25 (2m), 95.25 (4m), 95.55 and 97.42  
12            (1) (dm) of the statutes; **relating to:** the exemption of certain farm-raised deer  
13            and venison from regulation by the department of natural resources, fencing of  
14            farm-raised deer, liability for damages caused by dogs, licensing of  
15            establishments that slaughter certain deer, the duties and authority of the  
16            department of agriculture, trade and consumer protection concerning domestic

1 animals, animal health and farm-raised deer, granting rule-making authority  
2 and making an appropriation.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 **SECTION 1.** 20.115 (2) (ha) of the statutes is amended to read:

4 20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under  
5 ss. 93.06 (1f) and (1g), 95.55, 95.68, 95.69, 95.71 and 95.715, to be used for animal  
6 health inspection and testing and for enforcement of animal health laws.

7 **SECTION 2.** 29.01 (2r) of the statutes is created to read:

8 29.01 (2r) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a).

9 **SECTION 3.** 29.02 (3m) of the statutes is amended to read:

10 29.02 (3m) This section does not permit the seizure by the department, or  
11 prohibit the possession or sale, of ~~commercially raised~~ farm-raised deer, as defined  
12 in s. ~~95.25 (5m)~~, that are kept in compliance with this chapter.

13 **SECTION 4.** 29.03 (8) of the statutes is amended to read:

14 29.03 (8) Any dog found running deer, except farm-raised deer, at any time,  
15 or used in violation of this chapter.

16 **SECTION 5.** 29.05 (5) of the statutes is amended to read:

17 29.05 (5) OPENING PACKAGES. The department and its wardens may examine  
18 and open any package in the possession of a common carrier which they have  
19 probable cause to believe contains ~~contraband~~ wild animals in violation of this  
20 chapter, or carcasses or parts thereof, or is falsely labeled in violation of this chapter;  
21 and every such common carrier, and every agent, servant, or employe thereof, shall  
22 permit any such officer to examine and open any such package. Any package so  
23 opened shall be restored to its original condition.

1           **SECTION 6.** 29.05 (6) of the statutes is amended to read:

2           29.05 **(6)** ACCESS TO STORAGE PLACES. ~~They~~ For purposes of enforcing this  
3 chapter, the department and its wardens shall be permitted by the owner or occupant  
4 of any cold storage warehouse or building used for the storage or retention of wild  
5 animals, or carcasses or parts thereof, to enter and examine said premises subject  
6 to ss. 66.122 and 66.123; and the owner or occupant, or the agent, servant, or employe  
7 of the owner, shall deliver to any such officer any wild animal, or carcass or part  
8 thereof, in his or her possession during the closed season therefor, whether taken  
9 within or without the state.

10           **SECTION 7.** 29.05 (6m) of the statutes is amended to read:

11           29.05 **(6m)** ACCESS TO PRIVATE LAND. ~~Agents of~~ For purposes of enforcing this  
12 chapter, the department may, after making reasonable efforts to notify the owner or  
13 occupant, enter upon private lands to retrieve, diagnose or otherwise determine if  
14 there are dead or diseased wild animals upon those lands, and take actions  
15 reasonably necessary to prevent the spread of contagious disease in the wild animals.

16           **SECTION 8.** 29.05 (8) (b) of the statutes is amended to read:

17           29.05 **(8)** (b) Any perishable property seized by the department or its wardens  
18 may be sold at the highest available price, and the proceeds of the sale turned into  
19 court to await disposition of the proceeds as the court directs. A conservation warden  
20 or other officers charged with the enforcement of the laws dealing with the  
21 conservation of the natural resources of the state may kill a dog found running,  
22 injuring, causing injury to, or killing any deer, other than farm-raised deer, or  
23 destroying game birds, their eggs or nests, if immediate action is necessary to protect  
24 the deer or game birds, their nests or eggs, from injury or death.

25           **SECTION 9.** 29.06 (1) of the statutes is amended to read:

1           29.06 (1) All ~~confiscated~~ wild animals, or carcasses or parts thereof, that are  
2 confiscated by the department and all confiscated apparatus, appliances,  
3 equipment, vehicles or devices shall, if not destroyed as authorized by law, be sold  
4 at the highest price obtainable, by the department or its wardens, or by an agent on  
5 commission under the written authority and supervision of the department. The net  
6 proceeds of ~~such~~ the sales, after deducting the expense of seizure and sale and any  
7 such commissions, shall be promptly remitted by the warden by whom or under  
8 whose authority and supervision the sales are made, to the department; the  
9 remittance to be accompanied by a complete and certified report of ~~such~~ the sales,  
10 supported by proper vouchers covering all deductions made for expenses and  
11 commissions, to be filed with the department. Of the remittance from ~~such~~ the sales  
12 of confiscated apparatus, appliances, equipment, vehicles or devices, 18% shall be  
13 paid into the conservation fund to reimburse it for expenses incurred in seizure and  
14 sale, and the remaining 82% shall be paid into the common school fund. In the case  
15 of the proceeds from the sale of a confiscated motor vehicle if the holder of a security  
16 interest perfected by filing with ~~such~~ the motor vehicle as security, ~~satisfies (and the~~  
17 ~~burden of proof shall be upon the holder of a security interest)~~ proves to the court,  
18 or after judgment of confiscation, to the department, that the violation that led to  
19 ~~such~~ the confiscation was not with his or her knowledge, consent or connivance or  
20 with that of some person employed or trusted by the holder of a security interest,  
21 there shall also be deducted the amount due under the security agreement from the  
22 proceeds of ~~such~~ the sale and the amount due shall be paid to the one entitled; in case  
23 a sufficient amount does not remain for such purpose after the other deductions then  
24 the amount remaining shall be paid. The department shall make a reasonable effort  
25 within 10 days after seizure to ascertain if a security interest in the seized motor

1 vehicle exists, and shall within 10 days after obtaining actual or constructive notice  
2 of such any security interest give the secured party notice of the time and place when  
3 there is to be any proceeding before the court or the judge pertaining to such the  
4 confiscation and shall also give such the secured party at least 10 days' notice of the  
5 time and place of sale. Constructive notice shall be limited to security interests  
6 perfected by filing. In all such cases the time of sale of the confiscated motor vehicle  
7 shall be within 20 days after judgment of confiscation provided in s. 29.05 (8). The  
8 provisions of s. 973.075 (1) (b) 1. to 3. and (5) apply to vehicles other than motor  
9 vehicles under this subsection. This subsection shall not apply to a deer killed, or  
10 so injured that it must be killed, by a collision with a motor vehicle on a highway.  
11 Such deer carcass shall be released free of charge to the motor vehicle operator under  
12 s. 29.40 (5) by the department or its agent, but shall be retained by the department  
13 or its agent if the motor vehicle operator declines to accept the carcass. For purposes  
14 of this subsection, "deer" does not include farm-raised deer.

15 **SECTION 10.** 29.06 (2) of the statutes is amended to read:

16 29.06 (2) On any such sales under this section of wild animals, or carcasses or  
17 parts thereof, the warden or agent selling them shall issue to each purchaser a  
18 certificate, on forms to be prepared and furnished by the department, covering such  
19 sales. The wild animals, or carcasses or parts thereof, so purchased shall be  
20 consumed or otherwise disposed of by the purchaser within a period to be set by the  
21 department, but shall not be resold, bartered, or exchanged, in whole or in part, to  
22 any other person, except as provided in sub. (3).

23 **SECTION 11.** 29.06 (3) of the statutes is amended to read:

24 29.06 (3) Confiscated fish or game sold under this section to the keeper,  
25 manager, or steward of any restaurant, club, hotel, or boarding house may be served

1 to the guests thereof; but in such case the certificate covering the purchase shall be  
2 hung in public view in the place where the fish or game is served, and such fish or  
3 game shall at the time of sale be tagged by the warden or agent selling it, such tag  
4 to show the date of sale and be returned to said warden or agent within 5 days  
5 thereafter.

6 **SECTION 12.** 29.092 (9) (hg) of the statutes is repealed.

7 **SECTION 13.** 29.092 (9) (hr) of the statutes is repealed.

8 **SECTION 14.** 29.093 (9) (gm) of the statutes is repealed.

9 **SECTION 15.** 29.093 (9) (gr) of the statutes is repealed.

10 **SECTION 16.** 29.40 (6) of the statutes is amended to read:

11 29.40 (6) (title) ~~COMMERCIALY RAISED~~ FARM-RAISED DEER. This section does not  
12 apply to ~~commercially raised~~ farm-raised deer, ~~as defined in s. 95.25 (5m).~~

13 **SECTION 17.** 29.42 (4) of the statutes is amended to read:

14 29.42 (4) (title) ~~COMMERCIALY RAISED~~ FARM-RAISED DEER. This section does not  
15 permit the seizure by the department, or prohibit the possession or sale, of  
16 ~~commercially raised~~ farm-raised deer, ~~as defined in s. 95.25 (5m), that are kept in~~  
17 ~~compliance with this chapter.~~

18 **SECTION 18.** 29.425 (4m) of the statutes is amended to read:

19 29.425 (4m) APPLICABILITY. This section does not apply to ~~commercially raised~~  
20 farm-raised deer, ~~as defined in s. 95.25 (5m).~~

21 **SECTION 19.** 29.427 (6) of the statutes is amended to read:

22 29.427 (6) DESTRUCTION. A person may kill at any time a wild skunk which is  
23 a nuisance to activities authorized under s. 29.55, 29.572, 29.574, 29.575, 29.578,  
24 ~~29.58~~ or 29.585. A person who kills an adult wild skunk with young shall attempt  
25 to kill the young skunks.

1           **SECTION 20.** 29.43 (5) (b) of the statutes is amended to read:

2           29.43 **(5)** (b) Subsections (1) to (4) do not apply to the possession,  
3 transportation, delivery or receipt of ~~commercially raised~~ farm-raised deer, as  
4 defined in ~~s. 95.25 (5m)~~.

5           **SECTION 21.** 29.44 (3) of the statutes is amended to read:

6           29.44 **(3)** Subsection (1) does not apply to the possession, transportation,  
7 delivery or receipt of ~~commercially raised~~ farm-raised deer, as defined in s. 95.25  
8 (5m).

9           **SECTION 22.** 29.45 (6) of the statutes is amended to read:

10          29.45 **(6)** This section does not apply to the transportation of ~~commercially~~  
11 ~~raised~~ farm-raised deer, as defined in s. 95.25 (5m).

12          **SECTION 23.** 29.48 (1m) of the statutes is amended to read:

13          29.48 **(1m)** Subsection (1) does not apply to ~~commercially raised~~ farm-raised  
14 deer, as defined in s. 95.25 (5m).

15          **SECTION 24.** 29.49 (1) (a) (intro.) of the statutes is amended to read:

16          29.49 **(1)** (a) (intro.) Except as provided in ~~ss. s. 29.52 and 29.581~~, no innkeeper,  
17 manager or steward of any restaurant, club, hotel, boarding house, tavern, logging  
18 camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered,  
19 served or given to the guests or boarders thereof:

20          **SECTION 25.** 29.49 (3) of the statutes is created to read:

21          29.49 **(3)** EXEMPTION. This section does not apply to the meat from farm-raised  
22 deer.

23          **SECTION 26.** 29.55 (2m) of the statutes is created to read:

24          29.55 **(2m)** Subsections (1) and (2) do not apply to farm-raised deer.

25          **SECTION 27.** 29.574 (1m) of the statutes is amended to read:

1           29.574 (1m) This section does not apply to ~~commercially raised~~ farm-raised  
2 deer, as defined in s. 95.25 (5m).

3           **SECTION 28.** 29.578 (1m) of the statutes is amended to read:

4           29.578 (1m) This section does not apply to ~~commercially raised~~ deer, as defined  
5 in s. 95.25 (5m), or to ~~commercial deer farms licensed under s. 29.58~~ of the genus  
6 dama, cervus or rangifer.

7           **SECTION 29.** 29.58 of the statutes is repealed.

8           **SECTION 30.** 29.581 of the statutes is repealed.

9           **SECTION 31.** 29.583 (1) of the statutes is amended to read:

10          29.583 (1) The department may seize and dispose of or may authorize the  
11 disposal of any deer that has escaped from land licensed under s. 29.574, or 29.578  
12 ~~or 29.58~~ if the licensee has not had the deer returned to the land within 72 hours of  
13 the discovery of the escape.

14          **SECTION 32.** 29.583 (3) of the statutes is created to read:

15          29.583 (3) This section does not apply to farm-raised deer.

16          **SECTION 33.** 29.585 (2) (a) of the statutes is amended to read:

17          29.585 (2) (a) ~~The term~~ In this section, “wild animal” as used in this section  
18 means any mammal, fish or bird of a wild nature as distinguished from domestic  
19 animals under the common law or under the Wisconsin statutes whether or not the  
20 mammal, fish or bird was bred or reared in captivity, but does not include deer of the  
21 genus dama, cervus or rangifer.

22          **SECTION 34.** 29.586 (4) of the statutes is created to read:

23          29.586 (4) This section does not apply to farm-raised deer.

24          **SECTION 35.** 29.59 (1) (f) of the statutes is amended to read:

1           29.59 (1) (f) Notwithstanding s. 29.01 (14), “wild animal” means any  
2 undomesticated mammal or bird, but does not include farm-raised deer.

3           **SECTION 36.** 29.598 (1) of the statutes is amended to read:

4           29.598 (1) DEFINITION. ~~As used in~~ In this section, “wildlife damage” means  
5 damage caused by wild deer that live in the wild, bear or geese to commercial  
6 seedings or crops on agricultural land, to orchard trees or nursery stock or to apiaries  
7 or livestock.

8           **SECTION 37.** 29.645 of the statutes is amended to read:

9           **29.645 Larceny of game.** A person who, without permission of the owner,  
10 molests, disturbs or appropriates any wild animal or its carcass that has been  
11 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more  
12 than \$2,000. This section does not apply to farm-raised deer.

13           **SECTION 38.** 29.99 (15) of the statutes is amended to read:

14           29.99 (15) In any prosecution under this section it is not necessary for the state  
15 to allege or prove that the animals were not ~~commercially raised~~ farm-raised deer  
16 or domesticated animals; that they were not taken for scientific purposes, or that  
17 they were taken or in possession or under control without a required approval. The  
18 person claiming that these animals were ~~commercially raised~~ farm-raised deer or  
19 domesticated animals, that they were taken for scientific purposes or that they were  
20 taken or in possession or under control under the required approval, has the burden  
21 of proving these facts. ~~In this subsection, “commercially raised deer” has the~~  
22 ~~meaning given in s. 95.25 (5m).~~

23           **SECTION 39.** 90.20 of the statutes is created to read:

24           **90.20 Fencing of farm-raised deer.** Any person who keeps farm-raised  
25 deer, as defined in s. 95.001 (1) (a), shall keep the farm-raised deer enclosed by a

1 fence not less than 7 feet 10 inches high, except that animals of the genus rangifer  
2 shall be kept enclosed by a fence not less than 5 feet high.

3 **SECTION 40.** 93.07 (10) of the statutes, as affected by 1995 Wisconsin Act 27,  
4 is renumbered 93.07 (10) (b) and amended to read:

5 93.07 (10) (b) To protect the health of domestic animals of the state; to  
6 determine and employ the most efficient and practical means for the prevention,  
7 suppression, control and eradication of communicable diseases among domestic  
8 animals, and for these purposes it may establish, maintain, enforce and regulate  
9 such quarantine and such other measures relating to the importation, movement  
10 and care of animals and their products, the disinfection of suspected localities and  
11 articles, and the disposition of animals, as the department may deem necessary. The  
12 definition of “communicable disease” in s. 990.01 (5g) does not apply to this  
13 subsection paragraph.

14 **SECTION 41.** 93.07 (10) (a) of the statutes is created to read:

15 93.07 (10) (a) In this subsection, “domestic animals” includes farm–raised deer,  
16 as defined in s. 95.001 (1) (a).

17 **SECTION 42.** 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (am).

18 **SECTION 43.** 95.001 (1) (a) of the statutes is created to read:

19 95.001 (1) (a) “Farm–raised deer” means an animal that is a member of the  
20 family cervidae and of the genus dama, the genus rangifer or the genus cervus, except  
21 for an elk that is present in the wild and that does not have an ear tag or other mark  
22 identifying it as being raised on a farm.

23 **SECTION 44.** 95.25 (1) and (2) of the statutes are amended to read:

24 95.25 (1) In order to detect and control bovine tuberculosis the department may  
25 test for tuberculosis those cattle where indication of possible infection is disclosed by

1 means of the slaughter cattle identification program and any other cattle or herds  
2 farm-raised deer the department has reason to believe may be infected or exposed  
3 or ~~deems~~ considers necessary to test for any other reason. Tuberculosis tests  
4 authorized by the department shall be made at such times and in such manner as  
5 the department determines, in the light of the latest and best scientific and practical  
6 knowledge and experience.

7 (2) Upon reasonable notice, the department, its authorized agents and all  
8 inspectors and persons appointed or authorized to assist in the work of applying the  
9 tuberculin test, may enter any buildings or inclosures where cattle or farm-raised  
10 deer are, for the purpose of making inspection and applying the tuberculin test, and  
11 any person who interferes therewith or obstructs them in their work or attempts to  
12 obstruct or prevent by force the inspection and the testing (in addition to the penalty  
13 prescribed therefor) shall be liable for all damages caused thereby to the state or to  
14 any person lawfully engaged in the work of inspection and testing.

15 **SECTION 45.** 95.25 (2m) of the statutes is created to read:

16 95.25 (2m) The owner or other person in possession of animals subject to  
17 inspection or testing under this section shall provide animal handling facilities to  
18 ensure the safety of the animals and the persons conducting the inspection or testing  
19 under this section.

20 **SECTION 46.** 95.25 (4m) of the statutes is created to read:

21 95.25 (4m) The department is not liable for injury to or death of animals during  
22 inspection or testing under this section unless negligence by the department causes  
23 the injury or death.

24 **SECTION 47.** 95.25 (5m) of the statutes is repealed.

25 **SECTION 48.** 95.30 of the statutes is amended to read:

1           **95.30** (title) **Disposal of cattle animals infected with tuberculosis.** The  
2 owner of cattle or farm-raised deer tested and found to be afflicted with bovine  
3 tuberculosis shall ship them under the direction of the department to some place  
4 designated by it for immediate slaughter under U.S. government inspection, or  
5 under the inspection approved by the department.

6           **SECTION 49.** 95.31 (3) of the statutes is amended to read:

7           **95.31 (3)** In addition to the indemnities for specific animal diseases provided  
8 under ss. 95.25, 95.26, 95.27 and 95.35 or under special emergency programs, the  
9 department shall pay indemnities on livestock condemned and destroyed because of  
10 unknown or unidentified contagions or infections, the cause or nature of which  
11 cannot be fully determined at the time of condemnation. Indemnities for unknown  
12 or unidentified diseases shall be equal to the difference between net salvage and  
13 appraised or agreed values, but not to exceed \$600. As used in this subsection,  
14 “livestock” means bovines, equines, swine, sheep, goats, poultry and ~~commercially~~  
15 raised farm-raised deer, as defined in s. 95.25 (5m).

16           **SECTION 50.** 95.33 of the statutes is amended to read:

17           **95.33 Tubercular animals that do not react.** Whenever in the opinion of the  
18 department a bovine or farm-raised deer is afflicted with tuberculosis, although  
19 failing to react to the tubercular test, such animal shall be condemned and the  
20 appraisal and all subsequent procedure shall be the same as in the case of reactors.

21           **SECTION 51.** 95.40 (title) and (1) of the statutes are amended to read:

22           **95.40** (title) **Neutralizing cattle tuberculosis test.** (1) No person shall use  
23 or cause to be used tuberculin or any other agent upon cattle or farm-raised deer, by  
24 injection or otherwise, for the purpose of preventing a proper reaction when a  
25 tuberculin test is made.

1           **SECTION 52.** 95.41 (2) of the statutes is amended to read:

2           95.41 (2) The department shall provide ear tags to be used for identifying cattle  
3           and farm-raised deer tested for purposes of disease control, and shall distribute the  
4           tags to persons authorized by the department to identify cattle and farm-raised deer.

5           **SECTION 53.** 95.42 of the statutes is amended to read:

6           **95.42 Revocation of permit to test.** Only veterinarians approved by the  
7           department may apply the tuberculin test to cattle and farm-raised deer, and no  
8           veterinarian applying the test may tag or brand reactors except as specifically  
9           authorized or directed by the department. Any veterinarian who fails to comply with  
10          this section and the rules and instructions furnished by the department shall forfeit  
11          all right to apply the tuberculin test.

12          **SECTION 54.** 95.55 of the statutes is created to read:

13          **95.55 Farm-raised deer; registration. (1) REGISTRATION.** (a) Except as  
14          provided in par. (b), no person may keep farm-raised deer unless the person is  
15          registered with the department under this section.

16          (b) Establishments licensed under s. 97.42 may keep live farm-raised deer for  
17          slaughtering purposes for up to 72 hours without being registered under this section.

18          **(2) APPLICATION.** A person shall register under this section using a form  
19          provided by the department. The form shall be accompanied by the fee specified  
20          under sub. (3).

21          **(3) FEE.** The department shall, by rule, specify the fee for registration under  
22          this section.

23          **(4) ANIMAL HANDLING FACILITIES.** A person required to register under this section  
24          shall provide animal handling facilities to ensure the safety of farm-raised deer  
25          during handling and of the persons handling the farm-raised deer.

1           **SECTION 55.** 95.68 (1) (d) of the statutes is amended to read:

2           95.68 (1) (d) “Livestock” means bovine animals, sheep, goats, swine,  
3 farm-raised deer and equine animals.

4           **SECTION 56.** 95.80 (1) (b) of the statutes is amended to read:

5           95.80 (1) (b) “Livestock” means cattle, horses, swine, sheep, goats, farm-raised  
6 deer and other species of animals susceptible of use in the production of meat and  
7 meat products.

8           **SECTION 57.** 97.42 (1) (a) of the statutes is amended to read:

9           97.42 (1) (a) “Animal” means cattle, sheep, swine, goats, ~~commercially raised~~  
10 farm-raised deer, horses, mules, and other equines.

11           **SECTION 58.** 97.42 (1) (cm) of the statutes is repealed.

12           **SECTION 59.** 97.42 (1) (dm) of the statutes is created to read:

13           97.42 (1) (dm) “Farm-raised deer” has the meaning given in s. 95.001 (1) (a).

14           **SECTION 60.** 97.42 (3) (em) of the statutes is amended to read:

15           97.42 (3) (em) (title) *Slaughter of ~~commercially raised~~ farm-raised deer.* The  
16 requirements of pars. (a) and (b) do not apply to the slaughter of a ~~commercially~~  
17 raised farm-raised deer if its meat food products are not sold by a person holding a  
18 restaurant permit under s. 254.64 or by an operator of a retail food establishment,  
19 as defined under s. 97.30 (1) (c). The operator of an establishment in which  
20 ~~commercially raised~~ farm-raised deer, their carcasses or their meat food products  
21 are examined and inspected under this subsection shall pay the department for the  
22 cost of the department’s examination and inspection.

23           **SECTION 61.** 97.42 (4) (em) of the statutes is amended to read:

24           97.42 (4) (em) The rate at which an operator of an establishment that  
25 slaughters ~~commercially raised~~ farm-raised deer or processes the meat products of

1 ~~commercially raised~~ farm-raised deer shall pay the costs of examination and  
2 inspection under sub. (3) (em) and the manner in which the department shall collect  
3 those amounts.

4 **SECTION 62.** 97.42 (5) (b) of the statutes is amended to read:

5 97.42 (5) (b) No county or municipality may collect any fees or charges for meat  
6 or poultry inspection or enforcement from any licensee under this section, except for  
7 overtime inspection work and the inspection of ~~commercially raised~~ farm-raised  
8 deer. Charges for overtime or for the inspection of ~~commercially raised~~ farm-raised  
9 deer shall be on the same basis as and shall not exceed charges for overtime work or  
10 for the inspection of ~~commercially raised~~ farm-raised deer prescribed by this section  
11 or by the rules of the department.

12 **SECTION 63.** 97.44 (3) of the statutes is amended to read:

13 97.44 (3) As used in this section “animals” means cattle, sheep, goats, swine,  
14 equines, farm-raised deer, as defined in s. 95.001 (1) (a), and poultry, except in the  
15 phrase “animal feed manufacturers”.

16 **SECTION 64.** 174.001 (3) of the statutes is amended to read:

17 174.001 (3) “Livestock” means any horse, bovine, sheep, goat, pig, domestic  
18 rabbit, farm-raised deer, as defined in s. 95.001 (1) (a), or domestic fowl, including  
19 game fowl raised in captivity.

20 **SECTION 65.** 895.57 (3) of the statutes is amended to read:

21 895.57 (3) Subsection (2) does not apply to any humane officer, local health  
22 officer, peace officer, employe of the department of natural resources while on any  
23 land licensed under s. 29.52, 29.573, 29.574, 29.575, or 29.578 ~~or 29.58~~ or designated  
24 as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture,

1 trade and consumer protection if the officer's or employe's acts are in good faith and  
2 in an apparently authorized and reasonable fulfillment of his or her duties.

3 **SECTION 66.** 943.75 (3) of the statutes is amended to read:

4 943.75 (3) Subsection (2) does not apply to any humane officer, local health  
5 officer, peace officer, employe of the department of natural resources while on any  
6 land licensed under s. 29.52, 29.573, 29.574, 29.575, or 29.578 ~~or 29.58~~ or designated  
7 as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture,  
8 trade and consumer protection if the officer's or employe's acts are in good faith and  
9 in an apparently authorized and reasonable fulfillment of his or her duties. This  
10 subsection does not limit any other person from claiming the defense of privilege  
11 under s. 939.45 (3).

12 **SECTION 67. Nonstatutory provisions.**

13 (1) BOVINE TUBERCULOSIS TESTING.

14 (a) In this subsection, "farm-raised deer" has the meaning given in section  
15 95.001 (1) (a) of the statutes, as created by this act.

16 (b) Except as provided in paragraph (c), a person who keeps farm-raised deer  
17 shall have those farm-raised deer tested for bovine tuberculosis after the effective  
18 date of this paragraph or after the date on which the farm-raised deer are enclosed  
19 by fencing that complies with section 90.20 of the statutes, as created by this act,  
20 whichever is later, and before the first day of the first month beginning 18 months  
21 after the effective date of this paragraph.

22 (c) The requirement for bovine tuberculosis testing under paragraph (b) does  
23 not apply to a person who had his or her farm-raised deer tested for bovine  
24 tuberculosis on or before the effective date of this paragraph if the person's  
25 farm-raised deer have been enclosed by fencing that complies with section 90.20 of

1 the statutes, as created by this act, since that testing and any farm-raised deer  
2 acquired by the person since that testing are known to be free of bovine tuberculosis.

3 (d) This subsection does not limit the authority of the department of  
4 agriculture, trade and consumer protection under section 95.25 (1) to (6) of the  
5 statutes.

6 (e) A person who violates this subsection is subject to the penalties in section  
7 95.99 of the statutes.

8 **SECTION 68. Effective dates.** This act takes effect on the day after  
9 publication, except as follows:

10 (1) The treatment of sections 29.01 (2r), 29.02 (3m), 29.03 (8), 29.05 (5), (6),  
11 (6m) and (8) (b), 29.06 (1), (2) and (3), 29.092 (9) (hg) and (hr), 29.093 (9) (gm) and  
12 (gr), 29.40 (6), 29.42 (4), 29.425 (4m), 29.427 (6), 29.43 (5) (b), 29.44 (3), 29.45 (6),  
13 29.48 (1m), 29.49 (1) (a) (intro.) and (3), 29.55 (2m), 29.574 (1m), 29.578 (1m), 29.58,  
14 29.581, 29.583 (1) and (3), 29.585 (2) (a), 29.586 (4), 29.59 (1) (f), 29.598 (1), 29.645,  
15 29.99 (15), 95.55, 95.68 (1) (d), 895.57 (3) and 943.75 (3) of the statutes takes effect  
16 on the first day of the 12th month beginning after publication.

17

(END)